

After Yuzu, other Nintendo Switch emulators are also being targeted by Discord

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It's no secret that Nintendo is a strict company that's always ready to initiate lawsuits. Recently, Nintendo defeated Yuzu in a court battle over creating an emulator for the Switch. To add insult to injury, Discord has now shut down the servers of the Suyu and Sudachi emulators along with the accounts of the main developers. The above emulators are branches of Yuzu.

While the news of the server outage was confirmed, the reason behind it was not. According to The Verge, Discord has not yet officially responded to this issue. Remember Yuzu was sued and disappeared on March 4 but Suyu and Sudachi appeared immediately.

Discord's director of product communications, Kellyn Slone, told The Verge that, *'Discord meets and complies with all legal and valid requirements of the Digital Millennium Copyright Act'*.

'In this case, there was also a court order prohibiting the removal of these documents and we acted in a manner consistent with the court order.'

While developers mentioned receiving unspecified notices about sharing content that allegedly violates intellectual property rights, Discord told The Verge that it is following its usual process for requests. request removal of content due to DMCA violation.

However, it's possible that people have shared cryptographic keys, firmware, or even entire pirated Nintendo games on these servers despite those commitments. Whatever the case, the servers no longer exist to prove anything.

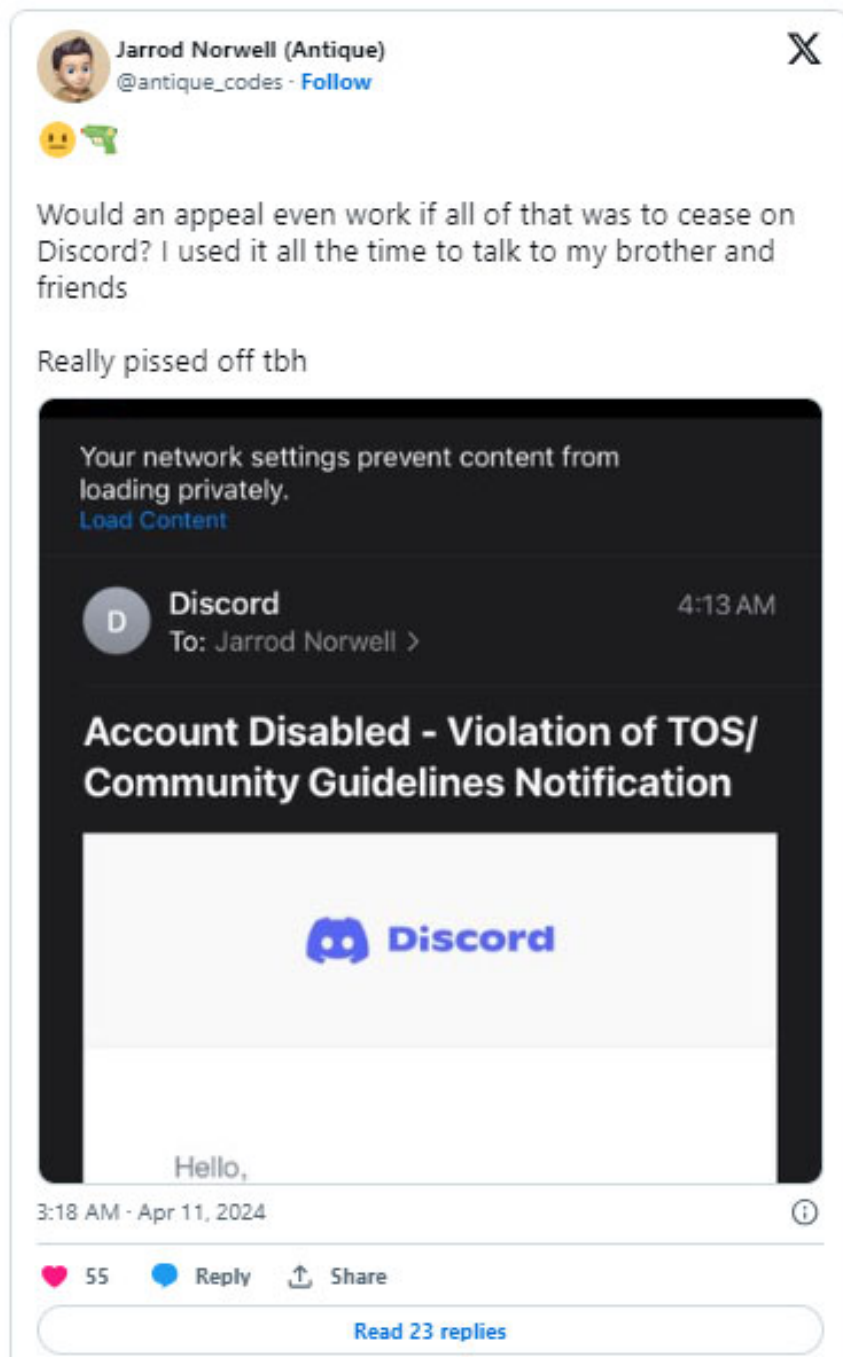
Does DMCA lead to server deletion?

Even though DMCA rules are violated or may be violated, Discord doesn't wipe out servers with just a warning. According to Jarrod Norwell, a Sudachi developer,

'Their first email was that my account violated the TOS with no further information.'

He added that nothing illegal happened in Sudachi and they did not violate any violation rules. Discord vaguely mentioned the takedown was related to intellectual property but again, has not clarified its statement.

In an X (formerly Twitter) post, Norwell showed that the account had disabled messages sent by Discord regarding TOS violations. Norwell stated that he or the Sudachi team complied with the TOS at all times.



Discord's copyright policy mentions that it is about the content and not about a group of people. A clear description of the infringing material and its location is required to remove copyrighted content. Platforms like Discord will take down such content. However, users can object to this takedown with a 'counter-notice' asserting fair use or non-infringement. Upon submission of a counter-notice, Discord's liability will cease.

If the original complainant, like Nintendo, still believes there has been infringement, they can use the counter notification to identify the user and possibly pursue legal action. In this case, the actions taken by Discord do not appear to indicate a violation. It seemed like communication servers Sudachi and Suyu had disappeared in the blink of an eye.

Of course, platforms like Discord don't have to give any reason to remove something from their platform. However, even if Discord detects any violations in the content, it will not reflect when deleting the server.

Whatever the case, this has something to do with Nintendo punishing the developers of the latest wave of takedowns.

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